

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the matter of:

SAEID SHAFIZADEH

COMPLAINANT

v.

CINGULAR WIRELESS-KENTUCKY

DEFENDANT

RECEIVED  
CASE NO.: 2003-00406 JUNE 16 2004

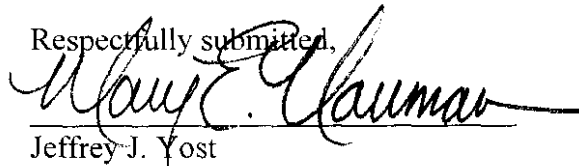
PUBLIC SERVICE  
COMMISSION

**DIRECT TESTIMONY OF WITNESSES**

In accordance with the Commission's order dated July 8, 2004, the Defendant, BellSouth Mobility LLC d/b/a Cingular Wireless ("Cingular"), by counsel, submits to the Commission for filing the direct testimony of the following witnesses it expects to call at the formal hearing in this proceeding:

1. Direct Testimony of Sharon-Rose Woodbine, submitted herewith as Attachment 1; and
2. Direct Testimony of Padma Rallapalli, submitted herewith as Attachment 2.

Respectfully submitted,



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**CERTIFICATE OF SERVICE**

This is to certify that the foregoing was served by depositing a copy in the United States mail, First Class, postage prepaid and addressed to the following, on the 16th day of August, 2004.

Saeid Shafizadeh, Complainant  
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5864.321



COMMONWEALTH OF KENTUCKY  
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**DIRECT TESTIMONY OF SHARON-ROSE WOODBINE**

For her direct testimony in the above-captioned proceeding before the Commonwealth of Kentucky Public Service Commission, Sharon-Rose Woodbine, after having been first duly sworn, states and deposes as follows:

- 1 Q. What is your name and business address?
- 2 A. My name is Sharon-Rose Woodbine and my business address is 2612 N. Roan Street,
- 3 Johnson City, Tennessee 37601.
- 4 Q. Who is your employer?
- 5 A. Cingular Wireless.
- 6 Q. How long have you worked for Cingular Wireless?
- 7 A. 10 years
- 8 Q. What is your current job title?
- 9 A. Area Manager – Customer Operations.
- 10 Q. How long have you held that position?
- 11 A. 3 years.

1 Q. What are your current job responsibilities?

2 A. Cingular currently has two billing systems: Telegence and CARE. I am the Area  
3 Manager for the Treasury/Admin group for the markets that use the CARE billing  
4 system. The CARE markets are comprised of thirteen states, including Kentucky, and  
5 Puerto Rico; however, I do not have responsibility for Puerto Rico. The Treasury/Admin  
6 group handles a variety of payment issues, including bankruptcies, deposits, credit card  
7 reversals, NSF checks, and misapplied payments. 69 people report to me.

8 Q. In your position do you have access to customer accounts?

9 A. Yes. I have access to accounts in the CARE markets.

10 Q. Does your job require you to review and understand the activity on customers' accounts?

11 A. Yes.

12 Q. What is the purpose of your testimony?

13 A. The purpose of my testimony is to explain to the Commission the activity on Mr.  
14 Shafizadeh's account that gave rise to his complaint.

15 Q. Were you directly involved in handling Mr. Shafizadeh's account?

16 A. Yes. As discussed below, I located Mr. Shafizadeh's misapplied payment and took  
17 remedial action.

18 Q. In locating Mr. Shafizadeh's payment, did you review his account?

19 A. Yes. I reviewed and analyzed his entire account history as it relates to the misapplied  
20 payment.

21 Q. Attached to this testimony are documents marked Exhibit A. Can you identify Exhibit  
22 A?

23 A. Yes. Exhibit A is a printout of the account notes for Mr. Shafizadeh's account.

1 Q. Please explain what account notes are.

2 A. Account notes are a record of activity on a particular account. For example, when a  
3 customer service representative accesses a particular account, that access is registered in  
4 the account notes. It is almost always accompanied by comments describing the purpose  
5 of the access. The account notes also contain certain activity that occurs on the account  
6 without human intervention. For example, when an account meets the criteria for being  
7 considered past due, it is automatically moved into Cingular's collection system. This  
8 activity would be registered in the account notes.

9 Q. What are the criteria for an account to be considered past due?

10 A. Cingular's systems are programmed to treat accounts in Kentucky as past due as of the  
11 day after the due date, if the amount owed is \$25 or more.

12 Q. Attached to this testimony are documents marked Exhibit B. Can you identify Exhibit B?

13 A. Yes. Exhibit B is comprised of copies of Mr. Shafizadeh's bills for 2003.

14 Q. Directing your attention to July 2003 in the account notes, please describe the activity on  
15 Mr. Shafizadeh's account.

16 A. On July 13, 2003, Cingular's billing system identified Mr. Shafizadeh's account as past  
17 due because, pursuant to his June 18, 2003 bill (see Exhibit B), \$55.46 was due on July  
18 11, 2003, and the payment had not been received. Automated and human messages were  
19 left on July 18 and July 23 on Mr. Shafizadeh's home answering machine and cellular  
20 voicemail requesting that he contact Cingular. At 12:57 p.m. on July 25, 2003 another  
21 unsuccessful attempt was made to contact Mr. Shafizadeh at which point his service was  
22 suspended. At 2:09 p.m. Mr. Shafizadeh called Cingular's interactive voice response  
23 system and made a balance/payment inquiry. At 2:26 p.m. Mr. Shafizadeh called and

1 spoke to a customer service representative who escalated the call to Michelle Meincke, a  
2 customer service manager. Mr. Shafizadeh told Michelle that he had already mailed the  
3 amount allegedly past due to Cingular's lockbox. Michelle then unsuspended Mr.  
4 Shafizadeh's service and marked the account for follow up to give Mr. Shafizadeh's  
5 check time to be processed.

6 Q. How long was Mr. Shafizadeh's account suspended?

7 A. The account was suspended at 12:57 p.m. on July 25 and unsuspended at 2:27 p.m. the  
8 same day. Accordingly, the total time of suspension was approximately 90 minutes.

9 Q. Did Mr. Shafizadeh call Cingular again on July 25?

10 A. Yes. He called again and spoke to Amber Murray, another customer service  
11 representative. He advised Amber that according to his bank the check for the past due  
12 payment had already been cashed by Cingular. According to the notes, Mr. Shafizadeh  
13 stated that he would not send Cingular a copy of the cancelled check even though Amber  
14 offered to credit his account the expense of doing so. Mr. Shafizadeh then demanded to  
15 speak to Michelle Meincke. There is no indication in the account notes that Mr.  
16 Shafizadeh and Michelle ever spoke again.

17 Q. At this point what was the status of Mr. Shafizadeh's account?

18 A. The status did not change from the actions taken earlier by Michelle. The account was  
19 working, but it was marked for follow up.

20 Q. As you now know, Mr. Shafizadeh's July 8 payment was received by Cingular, but it was  
21 applied to the account of a South Carolina customer. As a manager who has  
22 responsibility for this type of situation, do you believe this account should have been  
23 handled differently?

1 A. Yes. The Cingular representative that spoke to Mr. Shafizadeh should have recognized at  
2 least the possibility that they were dealing with a misapplied payment instead of a  
3 situation where the payment was "in the mail." Had they recognized that possibility,  
4 Cingular has systems that would have allowed them to locate the misapplied payment  
5 even though Mr. Shafizadeh refused to provide additional information about the payment.

6 Q. What happened next on Mr. Shafizadeh's account?

7 A. As stated above, the account was set for follow up. On August 5, 2003, Jason Spears was  
8 working on past due accounts and Mr. Shafizadeh's was one of the accounts he worked.  
9 Since Mr. Shafizadeh's payment had not been applied to his account, it still appeared to  
10 be past due and the account was disconnected.

11 Q. How long was Mr. Shafizadeh's account disconnected this time?

12 A. The account was reconnected on August 12, 2003, so approximately 7 days.

13 Q. What happened on August 12?

14 A. According to the account notes, Brittney Bennett, a customer service representative in  
15 Cingular's Office of the President, received a complaint from Mr. Shafizadeh in which he  
16 stated that the amount allegedly past due (\$55.46) had been paid. When Brittney checked  
17 the account, she found that a payment in the amount of \$55.37 had been received on  
18 August 11, 2003. Brittney called Mr. Shafizadeh, but he refused to discuss the account  
19 with her. Nevertheless, since it appeared as though the "missing" payment had been  
20 received, Brittney reconnected the account and noted that the complaint had been  
21 resolved.

22 Q. Had the "missing" payment been found?



1 A. No. The \$55.37 payment received on August 11 was for Mr. Shafizadeh's July 18, 2003  
2 bill. Cingular's billing systems still showed that a bill for \$55.46 was unpaid and past  
3 due.

4 Q. Was Mr. Shafizadeh's service suspended again?

5 A. Yes. Because a bill for \$55.46 still appeared to have been past due, the account was  
6 suspended on August 25, 2003.

7 Q. Did Mr. Shafizadeh call Cingular on August 25?

8 A. Yes, however, he refused to verify the last four digits of his Social Security number and  
9 for security purposes, Cingular will not discuss an account without verification that we  
10 are in fact talking to the customer or someone the customer has authorized.

11 Q. How long was the service suspended this time?

12 A. His service was either suspended or disconnected until November 6, 2003.

13 Q. What happened on November 6?

14 A. April Burns called Mr. Shafizadeh regarding the account. There are 14 lines of account  
15 notes regarding April's discussion with Mr. Shafizadeh. In the end, April waived the  
16 \$55.46 past due (plus taxes) and reactivated the service -- even though the fact that the  
17 payment had been misapplied had not yet been discovered and Cingular had not yet  
18 received the Commission's Order to Satisfy or Answer, which is dated November 10,  
19 2003.

20 Q. Is there any other activity on the account related to the misapplied payment?

21 A. Yes. By November 25, 2003, we discovered that Mr. Shafizadeh's \$55.46 payment had  
22 been applied to an account in South Carolina. Except for the last two numbers, the South  
23 Carolina account number is identical to Mr. Shafizadeh's. Mr. Shafizadeh's account

1        number is 01117005-001-01. The South Carolina account number is 01117005-001-35.  
2        So that both account records would be accurate, I had the \$55.46 payment removed from  
3        the South Carolina account and moved over to Mr. Shafizadeh's account. I also reversed  
4        the waiver that April Burns placed on the account. In the end, Mr. Shafizadeh's account  
5        was restored to where it should have.

6    Q.    Have you been able to determine why Mr. Shafizadeh's payment was misapplied?

7    A.    Partially. Exhibit C attached hereto is a copy of the image of Mr. Shafizadeh's check as  
8        it exists in Cingular's systems. As you can see, there is a sticker on the check that has the  
9        South Carolina account number on it.

10   Q.    Do you know who placed this sticker on Mr. Shafizadeh's check?

11   A.    I do not know for sure, but it was probably placed on the check by Cingular's payment  
12        processing vendor, Regulus Group, LLC.

13   Q.    Do you know why Regulus would place a sticker on a check in this manner?

14   A.    The answer to this question is addressed in the testimony of Padma Rallapalli.

15   Q.    Please summarize your views on Cingular's handling of this account.

16   A.    There are several factors that contributed to Mr. Shafizadeh's payment being misapplied.  
17        It does not appear as though his bill coupon was returned with his payment, the printed  
18        name on his check is that of a business, the sticker that was put on the check had the  
19        wrong account number on it, and by mere coincidence there is an account in South  
20        Carolina that matched the account number on the sticker. Despite all of the foregoing, on  
21        July 25, 2003, Cingular should have recognized the possibility that Mr. Shafizadeh's  
22        payment was misapplied. Having missed that opportunity and treating the account as if  
23        the check was in the mail, everything that followed was somewhat logical – though we

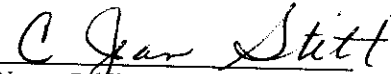
- 1 now know erroneous. I know of no other situation where a misapplied payment was not  
2 identified and remedied in relatively short order.
- 3 Q. Does that conclude your testimony?
- 4 A. Yes.

  
SHARON-ROSE WOODBINE

STATE OF TENNESSEE

COUNTY OF Washington

On this 13 day of August, 2004, before me personally appeared Sharon-Rose Woodbine, to me known to be the person described in and who executed the foregoing instrument, and acknowledged that such person executed the same as such person's free act and deed.

  
Notary Public

My Commission Expires: 10-27-09